

MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL, HELD ON OCTOBER 2, 2019 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH. THE MEETING BEGAN AT 7:00 P.M.

Mayor and Council Members Present:

Mayor Brent Marshall

Jewel Allen

Neil Critchlow

Jeff Hutchins

Krista Sparks

Scott Stice

Appointed Officers and Employees Present:

Brett Coombs, City Attorney participated by phone

James Waltz, Public Works

Christine Webb, City Recorder

Jesse Wilson, Human Resources

Citizens and Guests Present:

Shawn Holste

James Pitkin

Mike Colson

Brandon Parr

Barry Bunderson

Krista Hutchins

Mayor Marshall asked Mike Colson to lead the Pledge of Allegiance.

AGENDA:

1. Public Comments.

No comments were offered.

2. Summary Action Items.

- a. Approval of Minutes from the September 18, 2019 City Council Regular Meeting.
- b. Approval of Bills in the amount of \$378,150.38.

Councilwoman Allen asked about a few items on the bills.

Motion: Councilwoman Allen made a motion to approve the summary action items.

Second: Councilman Hutchins seconded the motion.

Vote: The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

3. Discussion of a concept plan with Allmendinger Holdings, Inc. and Ensign Engineering for a proposed subdivision located south of Anderson Ranch Subdivision in the R-1-21 zone.

No one was present on this item.

Motion: Councilman Critchlow made a motion to table this item.

Second: Councilman Stice seconded the motion.

Vote: The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

4. Discussion of a concept plan with Mike Colson and Wade Sandberg for a proposed subdivision located on the corner of Nygreen and Worthington in the R-1-21 zone.

Mike Colson was present. He reviewed the concept plan and where it is located. This is a 200 acre planned unit development (P.U.D.) with one-third to one-acre single family lots and approximately forty-three (43) acres of open space. He reported that ninety-two (92) percent of the homes will not have backyard neighbors adjoined to them. He added the large open space behind the homes is approximately two (2) football fields. Mr. Colson explained the lots all have 100-foot setbacks. There will be no on-street parking, fifty (50) percent xeriscape to cut down on water use, no unfinished park strips, and possible solar requirements for the residences.

Mr. Colson stated they are trying to incorporate the citizen requests they heard at the General Plan meetings. They hope to connect to the horse trails in South Willow Estates and ensure a sustainable development.

The Council liked a number of things about this concept plan. They liked the front setback and the fifty-five (55) and older area. They expressed concerns about Worthington Street ending at Nygreen Street because it has been designated as a collector street. They asked how the fifty-five (55) and older area would be enforced. Mr. Colson answered there will need to be a deed restriction. The Council felt the cul-de-sacs should be eliminated and have through streets to connect. There was a discussion about having one central park with parking rather than several areas of open space.

5. Discussion of culverts on Worthington Street south of the intersection with Durfee Street.

James Waltz reported he was contacted by two homeowners on Rockaway Cove and asked if they could add an access to their backyards from Worthington Street. There are currently three

(3) homes that have added an access point to their backyards in this subdivision. Mr. Waltz provided the City Council with a copy of Grantsville City Code 17-1-6 which states, “It shall be unlawful for any person to make any improvements, changes or obstructions to city streets rights-of-way or sidewalks without the first making application to and receiving written approval from the City...Any person who has made improvements or changes to City streets, rights-of-way or sidewalks or who have placed obstructions upon the same, without City approval, shall immediately restore the street, right-of-way or sidewalk to its original conditions, upon receiving notice from the city. Persons who fail to promptly restore the street, right-of-way or sidewalk to its original condition, after having received notice to do so, shall be guilty of a misdemeanor.” He supplied photos of the homes that are in violation. He reported other examples where homeowners have concreted over the valve boxes and water meter boxes.

The Council felt the City must enforce the ordinance. They cited a recent request to subdivide on Worthington Street where the property owner was told there must be 500 feet between driveways because this street is a collector. They agreed that the swell has to be maintained. The Council Members discussed their concerns about notification to those in violation of the ordinance.

6. Consideration of Resolution 2019-25 accepting an Interlocal Agreement with Tooele County.

Mayor Marshall reported this agreement defines the responsibilities of Tooele County and Grantsville City. The County Sheriff’s Office will have the primary responsibility for law enforcement and police protection on the Deseret Peak Complex. The County shall be responsible for processing, issuing, and enforcing permits for all public events at Deseret Peak Complex and shall use the Tooele County codes and ordinances in doing so. The Deseret Peak Complex shall receive both water and sewer utility service on the same basis as all other similarly situated property within the Grantsville City.

Motion: Councilman Stice made a motion to approve Resolution 2019-25 accepting an Interlocal Agreement with Tooele County.

Second: Councilman Critchlow seconded the motion.

Discussion: Councilwoman Allen pointed out a few corrections. One on the title of the resolution; the word *DESERT* should be *DESERET* and Exhibit A has a map labeled “Deseret Peak Withdrawal from Grantsville City.” The word “*Withdrawal*” should be removed.

Vote: The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

7. Consideration of Resolution 2019-26 accepting a settlement agreement for the Tooele County vs. Grantsville Lawsuit.

Motion: Councilwoman Sparks made a motion to approve of Resolution 2019-26 accepting a settlement agreement for the Tooele County vs. Grantsville Lawsuit.

Second: Councilman Stice seconded the motion.

Vote: The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

8. Consideration of approval of the absorption study on the Wells Crossing Subdivision for Mountain Vista Development.

Monte Kingston was present. He stated they are requesting permission to submit Phase 2 on the Wells Crossing Subdivision. He reported this absorption study was done a few weeks ago. At that time, they had ten (10) of the thirty (30) units sold and they have about one (1) sale per week. With this approval, it will take them about three (3) months to get approval.

Motion: Councilman Stice made a motion to approve the absorption study on the Wells Crossing Subdivision for Mountain Vista Development.

Second: Councilwoman Allen seconded the motion.

Vote: The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

9. Consideration of Ordinance 2019-22 amending Chapter 21 Subdivision regulations, Chapter 4 Major Subdivisions, Section 3 Phase Development, of the Grantsville City Land Use and Management Code.

Shay Stark with Aqua Engineering addressed the Council on this item. He reported there were some issues with this code. One of the issues was that it did not clarify what an absorption study is and what should be included in one. He reviewed the proposed changes.

Motion: Councilman Hutchins made a motion to approve Ordinance 2019-22 amending Chapter 21 Subdivision regulations, Chapter 4 Major Subdivisions, Section 3 Phase Development, of the Grantsville City Land Use and Management Code.

Second: Councilwoman Sparks seconded the motion.

Vote: The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

10. Consideration of approving a Commercial Conditional Use Permit for Monica Miller for a boutique at 822 East Main Street, Building 2, Suite F in the CD zone.

Monica Miller reported that she is planning to open a women's retail clothing store.

Motion: Councilman Hutchins made a motion to approve a Commercial Conditional Use Permit for Monica Miller for a boutique at 822 East Main Street, Building 2, Suite F in the CD zone.

Second: Councilman Stice seconded the motion.

Vote: The vote was as follows: Councilman Critchlow, "Aye", Councilwoman Allen, "Aye", Councilman Hutchins, "Aye", Councilman Stice, "Aye", and Councilwoman Sparks, "Aye". The motion carried.

11. Consideration of Ordinance 2019-23 amending the official zoning map of Grantsville City, Utah to rezone 0.72 acres for O'Reilly Auto Enterprises, LLC located at 124 East Main Street to go from a CS zone to a CG zone.

James Pitkin was present on this item.

Motion: Councilman Stice made a motion to approve Ordinance 2019-23 amending the official zoning map of Grantsville City, Utah to rezone 0.72 acres for O'Reilly Auto Enterprises, LLC located at 124 East Main Street to go from a CS zone to a CG zone.

Second: Councilman Critchlow seconded the motion.

Vote: The vote was as follows: Councilman Critchlow, "Aye", Councilwoman Allen, "Aye", Councilman Hutchins, "Aye", Councilman Stice, "Aye", and Councilwoman Sparks, "Aye". The motion carried.

12. Consideration of Resolution 2019-27 approving a minor subdivision for Tim and Paulette Madsen located at 247 North Taylor Road dividing 2.235 acres of land from one (1) lot into two (2) lots in the R-1-21 zone.

Councilman Critchlow reported Tim and Paulette Madsen were at the Planning Commission Meeting. He explained they own five (5) acres on Taylor Road and they plan to subdivide it. He felt the Council should approve it.

Motion: Councilman Critchlow made a motion to approve of Resolution 2019-27 approving a minor subdivision for Tim and Paulette Madsen located at 247 North Taylor Road dividing 2.235 acres of land from one (1) lot into two (2) lots in the R-1-21 zone.

Second: Councilman Stice seconded the motion.

Vote: The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

13. Consideration of Resolution 2019-28 approving a preliminary plan for Land Development, LLC and Adam Nash for the creation of three (3) single family lots in the Ginny Lane Subdivision located at approximately 683 East Durfee Street in the R-1-12 zone.

Adam Nash was present on this item. He stated this is located off Durfee Street. This has already been part of a minor subdivision which makes it a major subdivision. Mr. Nash was aware of this.

Motion: Councilman Stice made a motion to approve Resolution 2019-28 approving a preliminary plan for Land Development, LLC and Adam Nash for the creation of three (3) single family lots in the Ginny Lane Subdivision located at approximately 683 East Durfee Street in the R-1-12 zone.

Second: Councilman Hutchins seconded the motion.

Discussion: Mayor Marshall pointed out there is already a Ginny Lane in Grantsville. Mr. Nash reported that he will change the name of the street to Virginia. Mr. Nash stated the items from Aqua Engineering have been addressed.

Vote: The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

14. Consideration of Resolution 2019-29 approving a final plat for DRP and Shawn Holste on the Mustang Ridge Subdivision, Phase 2 for the creation of thirty-three (33) lots in the R-1-12 zone.

Brandon Parr was present. The Council discussed the connections being made from Durfee Street for City services.

Motion: Councilwoman Allen made a motion to approve Resolution 2019-29 approving a final plat for DRP and Shawn Holste on the Mustang Ridge Subdivision, Phase 2 for the creation of thirty-three (33) lots in the R-1-12 zone.

Second: Councilwoman Sparks seconded the motion.

Discussion: Mr. Parr pointed out they talked about adding two (2) lots for a total of thirty-three (33) lots, but they have gone through the approval process with the County and in order to add the two (2) lots, they would have to start the process over. Instead, they will do the improvements to those two (2) lots but they are only asking for approval of thirty-one (31) lots. Mayor Marshall asked Councilwoman Allen if she was alright with the amendment from thirty-three (33) to thirty-one (31) lots. She answered yes, she was.

Vote: The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

15. Initial Consideration of Annexation Petition filed by Samuel Clegg.

Samuel Clegg was present. He commented this was a carryover from the last conversation he had with the Council. He reported they are working on the design and the plan to extend the waterline. There were questions about the North Tooele Fire Protection. If this is annexed, it will not be under North Tooele Fire.

Motion: Councilwoman Allen made a motion to approve the initial consideration of annexation petition filed by Samuel Clegg.

Second: Councilwoman Sparks seconded the motion.

Vote: The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

16. Consideration to approve full-time clerk position.

Jesse Wilson explained the City hired a temporary clerk in July to help with utility payments, etc. This approval will allow the City to make that position a full-time position.

Motion: Councilman Stice made a motion to approve a full-time clerk position.

Second: Councilwoman Allen seconded the motion.

Vote: The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Aye”, Councilman Hutchins, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

17. Mayor and Council Reports.

Mayor Marshall reported that he did a site visit to the West Wendover Public Works Facility. He attended two (2) Mid-Valley Highway meetings. The sidewalk surveying for the construction on Durfee Street from Quirk to Willow Street has been started. Geneva has started roto-milling the corners of streets for the Main Street Project.

Councilman Critchlow asked about the steel plates near his home on Main Street. They will be removed within the week. Councilman Critchlow reported there was a girl at Grantsville Elementary that was hit on her way to the bike rodeo. He commented that the Planning Commission is working to clean up some ordinances and expressed appreciation for their work.

Councilwoman Allen thanked the Planning Commission and Shay Stark for the work they have done on the General Plan draft. She felt the General Plan should be ready for the November Planning Commission Meeting for recommendation of approval. Councilwoman Allen has submitted a letter of intent for a transportation plan grant with Wasatch Front Regional Council. She inquired about several items around the City that she was concerned with.

Councilman Hutchins commented on the work that went into settling the lawsuit. He encouraged a discussion to look for ways of enforcing our ordinances, especially the nuisance ordinances.

Councilman Stice remarked on the Main Street construction. He reported Utah had a West Nile Virus death.

Councilwoman Sparks asked if the house on the corner of Race and Main Streets will be moved. Mayor Marshall answered that it will be placed on the Donner Reed Museum property. Councilwoman Sparks reported the Committee on the Fire Department SOPs had a meeting scheduled for Thursday, October 3rd.

18. Closed Session (Personnel, Real Estate, Imminent Litigation).

The Council did not go into a closed session.

19. Adjourn.

Motion: Councilman Allen made a motion to adjourn. Councilman Sparks seconded the motion. The meeting was adjourned at 9:04 p.m.